

Statement of Intent

The United States and the City of Portland Oregon agree to work together to ensure that police services are delivered to persons with mental illness in a manner consistent with the United States Constitution and laws. The United States has engaged in a thorough review of uses of force by the Portland Police Bureau. It concluded that the substantial majority of uses of force are constitutional. However, it did find reasonable cause to believe that there is a pattern or practice of unnecessary or excessive uses of force in certain encounters between police officers and persons with or perceived to have mental illness.

The City does not concede that there is a pattern or practice, however, this is an issue of great concern to the City. Throughout the investigation, the Civil Rights Division has identified concerns to the Portland Police Bureau. PPB and Chief Michael Reese have already undertaken significant measures to address these concerns, both independent of and in response to, information from the Civil Rights Division. The parties seek to support and build on these efforts.

The United States and the City have engaged in extensive and substantive conversations regarding appropriate action to address the findings of the Civil Rights Division. We have agreed to enter into a settlement to resolve the findings and to move forward. The settlement will include:

1. **Use of Force:** The City is committed to revise its use of force policies to ensure that officers have necessary guidance when encountering someone with mental illness or perceived to have mental illness. In particular, the City will enhance its policy guidance on the use of Electronic Control Weapons (ECW) and techniques to de-escalate encounters arising from non-criminally related well-being checks and arrests for low level offenses.

The Chief's initiative to ensure that supervisors respond to the scene of uses of force will be continued and there will be meaningful use of force reviews through the chain of command. Training curricula will be reviewed and adjusted where appropriate to reflect the requirements of the agreement.

2. **Crisis Intervention.** PPB will continue to provide crisis intervention training to all officers. In addition, it will expand its Mobile Crisis Unit to ensure availability at all times and enhance non-law enforcement capacity to respond to persons in crisis that do not pose a public safety threat. Each Mobile Crisis Unit team will consist of one specially trained officer and one specially trained mental health worker from a local social services agency.

The City agrees to establish a mental health desk at Bureau of Emergency Communications (911) staffed by trained dispatchers to ensure that calls are properly dispatched. BOEC will also direct suicide prevention/mental health calls to the County Crisis Call Center or Lines for Life when on-site PPB response is not appropriate.

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The City also agrees to lead efforts to increase community mental health treatment options, such as through the establishment of a 24 hour secure drop-off and walk-in center that will provide police officers more options when assisting persons experiencing a mental health crisis.

3. **Early Intervention System:** The City has a robust Early Intervention System (EIS) that can track officer specific information as well as unit level and trend data. The City will utilize the system to identify individual officers, supervisors, and units for non-punitive corrective action, and to assess gaps in policy, training, supervision and accountability.
4. **Misconduct Investigation:** Investigations of allegations of officer misconduct are effective and fair to the officer, complainant and community only if they can be completed in a timely manner. The City agrees to take necessary steps to expedite the investigations of those complaints while preserving the thoroughness and quality of investigations and community participation.
5. **Community Engagement and Outreach:** Community participation in the oversight of this agreement will be important to its success. A community body will be adopted to assess on an ongoing basis the implementation of this agreement, make recommendations to the parties on additional actions, and advise the Chief and Mayor on strategies to improve community relations. The body will also provide the community with information on the agreement, its implementation and receive comments and concerns. Membership will be representative of the many and diverse communities in Portland, including persons with mental illness, mental health providers, faith communities, minority, ethnic, and other community organizations, and student or youth organizations.

The City and the United States recognize that these issues are of significant concern to the Portland community. Throughout the investigation, both the United States and the City have engaged in extensive community outreach. The current discussions between the parties have been informed by that community input. However, both the United States and the City will benefit from additional views of community members and leaders and will seek additional input in coming days and weeks. The United States invites those who have input that they want to share about this process to contact us. We may be reached at community.portland@usdoj.gov.

The parties commit to continue to work towards finalizing an agreement. The agreement will be filed with the Court, but the action will be dismissed and the Court will review compliance only upon an assertion by the United States of a material breach that cannot be

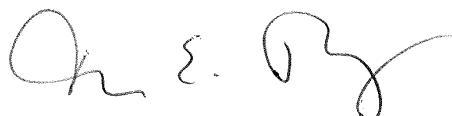
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resolved though good faith negotiations between the parties. The parties commit to have a final agreement by October 12, 2012.

Dated:



Sam Adams
Mayor, City of Portland



Thomas E. Perez
Assistant Attorney General
Civil Rights Division



S. Amanda Marshall
United States Attorney
District of Oregon